IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

Crl.Rev.Pet.No. 2267 of 2007()

CRA.35/2006 of SESSIONS COURT, PATHANAMTHITTA
ST.451/2003 of CHIEF JUDICIAL MAGISTRATE COURT, PATHANAMTHITTA

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REVN. PETITIONER: APPELLANT/ACCUSED:

S. BASHEER,
G.M. HOUSE, TKULATHOOR, THIRUVANANTHAPURAM.

BY ADV. SRI.PRAVEEN VYASAN

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE:

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1. M/S. ESS ENN BANKERS,
THAVALATHIL BUILDINGS, PATHANAMTHITTA,
REPRESENTED BY ITS PARTNER M.K.VARADARAJAN,
MANAPPALLIL HOUSE, PRAMADOM.

2. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.C.S.MANILAL
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 06/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 2427 of 2007

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Dated, this the 6th day of August 2007

ORDER

The accused in C.C. No. 299 of 2004 on th**e file** of the J.F.C.M-II, Alappuzha for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A 8545 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,

(JUDGE)

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